



17,  
18

## Planning Commission Staff Report

**TO:** PLANNING COMMISSION

**FROM:** NATHAN WILLIAMS, AICP, SENIOR PLANNER *NW*  
(480) 503-6805, NATHAN.WILLIAMS@GILBERTAZ.GOV

**THROUGH:** CATHERINE LORBEER AICP, PRINCIPAL PLANNER *chl*  
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

**MEETING DATE:** JUNE 6, 2018

**SUBJECT:**

- A. GP17-1014, LAYTON LAKES PARCEL 4: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 19.6 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LINDSAY ROAD AND QUEEN CREEK ROAD FROM SHOPPING CENTER (SC) LAND USE CLASSIFICATION TO RESIDENTIAL > 3.5 - 5 DU/ ACRE LAND USE CLASSIFICATION.**
- B. Z17-1024, LAYTON LAKES PARCEL 4: REQUEST TO REZONE APPROXIMATELY 19.6 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT THE NORTHWEST CORNER OF LINDSAY ROAD AND QUEEN CREEK ROAD FROM SHOPPING CENTER (SC) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT TO SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

**STRATEGIC INITIATIVE:** Community Livability

This project would allow for residential development within an undeveloped property.

## **RECOMMENDED MOTION**

- A. Move to recommend to Town Council **denial** of GP17-1014, Layton Lakes Parcel 4, a Minor General Plan Amendment; and
- B. For the reasons set forth in the staff report, move to recommend **denial** to the Town Council for Z17-1024 Layton Lakes Parcel 4, as requested, subject to the conditions listed in the staff report.

## **APPLICANT/OWNER**

Company: Pew & Lake, PLC  
Name: Sean Lake  
Address: 1744 S. Val Vista Dr. #217  
Mesa, AZ 85204  
Phone: 480-461-4670  
Email: sean.lake@pewandlake.com

Company: La Familia Mgmt  
Name: N/A  
Address: 1772 E. Boston St. #101  
Gilbert, AZ 85295

## **BACKGROUND/DISCUSSION**

### **History**

<b>Date</b>	<b>Description</b>
<i>March 20, 2001</i>	Town Council approved A00-07 (Ordinance No. 1327), annexing approximately 543 acres into the Town of Gilbert, including the subject site.
<i>March 20, 2001</i>	Town Council approved Z00-21 (Ordinance No. 1328), rezoning the approximately 459 acre site from Maricopa County Rural 43 zoning district to Town of Gilbert SF-D, SF-6, SF-7, SF-8, SF-35 and SC zoning districts and creating the Layton Lakes Master Plan PAD with overall Land Use Density of Residential > 2-3.5 DU/ Acre.
<i>December x, 2017</i>	The Planning Commission discussed GP17-1014 and Z17-1024 for Layton Lakes Parcel 4 as a study session item.

### **Overview**

The subject site is currently an undeveloped 21.46 acre parcel with an existing land use designation of Shopping Center (SC) and also subsequently zoned Shopping Center (SC) with a PAD as the site is currently a part of the Layton Lakes Master Planned Community. The applicant is requesting a change to the existing General Plan land use classification of Shopping Center (SC) to allow for Residential > 3.5-5 DU/ Acre and is requesting a change in zoning from Shopping Center (SC) PAD to Single Family Detached (SF-D) with a Planned Area Development (PAD) overlay to allow a residential uses with proposed deviations from the Land Development Code (LDC) to increase minimum lot area and dimensions, and reduce the maximum building height to 30' / 2-story.

**Surrounding Land Use & Zoning Designations:**

	<b>Existing Land Use Classification</b>	<b>Existing Zoning</b>	<b>Existing Use</b>
North	Residential > 2-3.5 DU/AC	Layton Lakes HOA Tract/ Trail and then Single Family Detached (SF-D PAD)	Undeveloped Residential Parcel
South	City of Chandler – Residential Lots	City of Chandler – Residential Lots	Existing Residential Subdivision
East	Residential > 2-3.5 DU/AC	Lindsay Road and then Single Family 6 (SF-6 PAD)	Existing Residential Lots
West	Residential > 2-3.5 DU/AC	Layton Lakes Open Space Tract and then Single Family 8 (SF-8 PAD)	Existing Residential Lot
Site	Shopping Center (SC)	Shopping Center (SC PAD)	Undeveloped

**Project Data Table**

<b>Site Development Regulations</b>	<b>LDC Conventional Single Family Detached (SF-D)</b>	<b>Proposed Development for Layton Lakes Parcel 4 (Z17-1024) SF-D PAD</b>
Minimum Lot Area (sq. ft. per DU)	3,000	<b>5,150</b>
Minimum Lot Dimensions (width x depth)	N/A	<b>46'x 115'</b>
Maximum Building Height	36' / 3-story	<b>30' / 2-story</b>
Setbacks: Front Yard Side Yard Rear Yard	10' 5' or 0' 10'	10' 5' / 5' 10'
Lot Coverage	60% single story 50% two/ three-story	60% single story <b>50% two-story</b>

**GENERAL PLAN**

The General Plan request is to change the existing land use from Shopping Center to Residential > 3.5-5 DU/Acre. The request is specifically for Layton Lakes Parcel 4 in order to remove the 21.46 acre subject site from zoning Ordinance No. 1328 and the conditions of development within the Layton Lakes Planned Area Development (PAD) to allow for residential uses (Residential > 3.5-5 DU/ Acre) where commercial uses (Shopping Center) are currently designated for the subject site as part of the Layton Lakes Master Plan.

Staff notes that the 19.6 acre subject site is located within 1-mile of partially developed parcels of Shopping Center zoning to the east on three of the four corners at the intersection of Val Vista Drive and Queen Creek Road. Additionally, the Santan Village Mall is located approximately 3-miles to the north and east of the subject site and the existing power centers located in both the City of Chandler and Town of Gilbert on Gilbert Road are located approximately 1.5- 2 miles to the north and west of the subject site.

The applicant has provided to the Town a Residential and Commercial Market Assessment for Layton Lakes 4 of the proposed land use change from Shopping Center uses to Residential > 3.5-5 DU/ Acre and Single Family Detached zoning. The market assessment notes that the location of the subject site is not ideal for commercial development and that retail and office development is oversupplied under current and future conditions, within their 3-mile trade area self-designated by the market assessment. The applicant notes that the provided market assessment took into account the future development of the Lindsay Road interchange for the 202 Freeway. In summary the market assessment provided by the applicant notes that nearby commercial/ retail and office uses at Gilbert Road and Ocotillo, located in the City of Chandler, approximately 2-miles south and east of the subject site as well as the proximity of the existing development of the 202 Freeway corridor and the Santan Village Mall located along the 202 Freeway corridor, provide for these commercial, retail and office needs for the area and they are enough to supersede, generally such options on the subject site.

Town staff's market analysis of the proposed land use and zoning change from Shopping Center (SC) to single family residential uses demonstrates concerns with the loss of commercial uses on the subject site at this time. Lindsay Road is currently a two lane minor arterial with limited improvements, but will soon be constructed as a major arterial with a freeway interchange. It is unknown what the impacts of the future Lindsay Road and 202 Freeway interchange will be on the subject site and the viability for commercial/ retail/ office uses on the subject site. There are two shopping centers within a three mile radius, one at Gilbert/Queen Creek and one at Val Vista/Queen Creek. At this time, these two centers are serving the community, however may not be adequate to serve the nearby population at build-out. Staff is concerned with the long-term livability of the Layton Lakes master planned community and surrounding areas as there remains a significant amount of undeveloped land designated for residential development existing within the Santan Character Area that will develop in the future. The subject site was purposely designated and envisioned to provide residents with convenient access to commercial and other non-residential uses. Ultimately staff feels that the loss of commercial land uses on the subject site to address present market trends may have negative impact on the subject site and future livability of the Layton Lakes master planned community and Santan Character Area.

The Gilbert Chamber of Commerce has provided a letter of opposition (attached) to the requests of GP17-1014 and Z17-1024, dated January 25, 2018. The letter notes that the loss of commercially designated land for residential land is a delicate balance and the Gilbert Chamber of Commerce reviews such requests on an individual basis. However, regarding the subject requests of GP17-1014 and Z17-1024, the Chamber of Commerce feels that the dynamics of this project's area will change significantly once the Lindsay interchange is opened and furthermore believe the potential of waiting a few years for that impact to be determined is in the best interest of our economic development efforts. Additionally noting there is easy access to the 202 that will be beneficial to any businesses in that area as well. The Chamber of Commerce also notes that that the subject site's current Shopping Center zoning does not preclude changes in the future towards neighborhood office/commercial type projects.

Staff finds that the existing site being planned for commercial, office, and retail uses for the Layton Lakes Master Planned community, a community of approximately 1,301 units in the



Town of Gilbert portion as well as an additional 200+ acres residential units in the City of Chandler; coupled with the loss of the commercial parcel within the City of Chandler, on the southwest corner of Lindsay and Queen Creeks Roads, as well as the planned future interchange at the Santan 202 Freeway and Lindsay Road, demonstrates a continued need to have suitable commercially designated parcels of land available for future development that can serve both the Layton Lakes community as well as existing and future residential units in both City of Chandler and the Town of Gilbert. The subject site is located on the border of both communities as well as at an arterial intersection and maintains existing trail connections and is well integrated within the Layton Lakes community, which could help to serve both the immediate and overall community surrounding the parcel.

In addition, the Layton Lakes community and subject site are located within the Santan Character Area of the Town's General Plan and as the significant portions of undeveloped residential land exist in southern portions of the Town of Gilbert and as they develop, staff believes that commercially designated land for residents living south of Layton Lakes that will utilize the future Lindsay Road interchange as well as residents living within the overall Layton Lakes community in both Chandler and Gilbert will have need for the many permitted uses in the Shopping Center zoning district, such as, but not limited to, commercial/ retail and office uses. Staff will note that Loft Unit above commercial is also a permitted residential use in the Shopping Center zoning district.

Staff does not support the loss of existing Shopping Center land use by adding a Residential > 3.5 – 5 DU/ Acre land use density component to the Layton Lakes Master Plan an overall area within the Santan Character Area. Staff is of the opinion that a commercial component and associated uses remain a need within the Santan Character area and the southern portions of Gilbert as they continue to develop with designated areas of residential uses and is compatible with the goals and policies of the General Plan, as noted below:

*Land Use and Growth Areas* – Deliver a mix of synergistic land uses that are appropriately located to promote employment opportunities while enhancing Gilbert's quality of life.

- Goal 1.0 Promote Gilbert as a community in which to live, work and play.
  - Policy 1.1 Maintain a balance of housing types and provide a variety of employment opportunities with easily accessible retail and service uses.
- Goal 3.0 – Manage growth to achieve an efficient, orderly and sustainable community.
  - Policy 3.2 Encourage master planned communities with an appropriate commercial, business park, industrial and mixed-use employment centers within large scale residential areas that reduce automobile trips by encouraging walking, biking and other alternative means of transportation and thus improving air quality. Encourage site designs that minimize the number of conflict points (vehicular/pedestrian/bicycle).
- Goal 5.0 – Promote commercial, retail, and employment land uses that are compatible with adjacent land uses and meet economic goals.
  - Policy 5.3 Locate commercial and retail uses adjacent to residential uses in appropriate intensities to serve local, community and regional markets.
- Goal 7.0 - Reduce automobile dependency in growth areas by efficient organization of land uses and other methods.

- Policy 7.1 Balance traffic circulation needs with the goal of creating pedestrian-oriented neighborhoods and convenient employment/retail centers.
- Policy 7.3 Interconnect neighborhoods, retail and employment areas with a system of pedestrian and bicycle routes and trails.

*Santan Character Area (SCA) – Goals and Policies:*

- Goal 3.0: Encourage small business, farming and nodes of commercial services.
  - Policy 3.1 Encourage development of commercial centers adjacent to open space, trails and parks.
  - Policy 3.2 Encourage master planned communities to create village centers.
  - Policy 3.3 Promote the inclusion of neighborhood commercial to provide convenient services to residents
  - Policy 3.4 Encourage commercial and entertainment uses in appropriate locations

**REZONING**

As noted with the General Plan analysis, staff does not support the change in land use or zoning from Shopping Center (SC) with a Planned Area Development (PAD) overlay to Single Family Detached (SF-D) zoning district with a Planned Area Development (PAD) overlay. The proposed Development Plan would consist of 75 total lots on 19.6 gross acres for an overall density of 3.8 DU/ Acre. The applicant has proposed to rezone the subject site with minimal deviations from the proposed SF-D zoning district development standards, and those deviations that are requested are in excess of LDC requirements by proposing increased minimum lot area, lot width and depth and requiring a maximum of 2-story homes where 3-story homes would be permitted by the LDC in a conventional SF-D zoning district.

Primary access to the proposed subdivision is from Layton Lakes Blvd. to the west and the applicant is also providing an emergency access point for the subject site to Lindsay Road which is currently utilized as a maintenance access driveway and staging and maintenance parking area for the Town of Gilbert lift station. This proposed emergency access point was not viable as a secondary access point into the subdivision, due to legal access issues as well as the existing lift station utilizing this area for maintenance vehicle parking and staging of equipment when necessary. However, as emergency access is required for the site and designating this area for this purpose while maintaining the required maintenance access for the lift station, this design would be appropriate if the rezoning was approved.

Staff notes that the applicant has made a number of revisions to the proposed site design from the December 6, 2017 Planning Commission Study Session. The proposed Development Plan provides for a total of 75 lots (reduced from 79 lots); the applicant has made a significant effort in overall site design to provide ample amenities for all residents and now provides pedestrian connectivity to amenities by centralizing the amenity areas and connections. The revised site design also provides a large buffer (approximately 127') from the southern maintenance access of the existing Town of Gilbert lift station facility and has designed the emergency access point to continue to provide maintenance access to the existing lift station facility. Staff notes that the Town of Gilbert Wastewater Division has expressed comfort with the site design and does not oppose the residential site design if GP17-1014 and Z17-1024 were to be approved and the proposed Development Plan for Layton Lakes Parcel 4 were to be adopted.

There are two (2) amenity areas located within the proposed Layton Lakes Parcel 4 development, the primary amenity area is located in the central portion of the site with a north-south (20' wide) pedestrian trail and landscape tract providing access from lots located to the south. A secondary amenity area is located on the eastern portion of the site and provides trail connection with the existing Layton Lakes trail system and also utilizes a large turf area and benches and helps to surround the existing lift station to the north and provide a buffer. The subdivision design through the proposed Development Plan would be supported by staff should the Planning Commission be included to recommend approval of residential land uses and zoning on the site. The proposed Layton Lakes Parcel 4 subdivision is not gated, will utilize public streets and demonstrates compliance with required guest parking regulations of the LDC.

### **Planning Commission Study Session – December 6, 2017**

The Planning Commission was concerned with the proximity of the existing lift station to residential development. The Planning Commission wanted to see revisions to the overall site design and felt there was very little pedestrian connectivity and usable open space for all residents.

Additionally, the Planning Commission inquired as to locations of existing or future commercial land uses nearby within Layton Lakes and in the surrounding area and questioned if traffic volumes from the future 202 Freeway interchange would make an impact on the commercial viability of the subject site, and if the lack of vehicular access from Lindsay Road to the subject site would negatively impact the site. The Planning Commission also questioned if larger lots such as through SF-6 zoning would be better for the subject site and that buffering residential lots from the existing lift station would be very important.

The applicant has redesigned the subject site to address a number of the stated concerns of the Planning Commission and staff, and now has only requested modifications in excess of SF-D zoning district requirements such as limiting the development to 1 and 2-story homes, requiring lots to be 5,150 sq. ft. in minimum lot area, where 3,000 sq. ft. is permitted reducing the number of units from 79 to 75, and providing additional buffering to the existing lift station.

### **PUBLIC NOTIFICATION AND INPUT**

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on August 24, 2017 at the Haley Elementary School. Approximately 19 residents attended the meeting. The residents asked questions and made statements regarding:

- Where will traffic signals be located?
- Will the site be a part of the Layton Lakes HOA?
- How will the demand for the site change with the Lindsay off-ramp?
- Opposed to commercial uses on the site.
- Felt that residential would be less traffic, which is preferred.

- What type of amenities are proposed, will it be gated?
- Did not want high density/ cluster home type development on the parcel.
- Would the lift station been dressed up?
- Height of proposed homes (1 and 2-story)?

Staff has received no phone calls or email comments from the public since the neighborhood meeting and/or sign posting for the upcoming hearings.

### **SCHOOL DISTRICT**

No comments have been received.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

### **REASONS FOR THE RECOMMENDATION**

1. The proposed zoning amendment *does not* conform to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning *does not* support the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

### **STAFF RECOMMENDATION**

- A. Recommend to the Town Council **denial** of GP17-1014, to change the land use classification of approximately 19.6 acres of real property generally located at the northwest corner of Lindsay Road and Queen Creek Road from Shopping Center (SC) land use classification to Residential > 3.5 - 5 DU/ Acre land use classification; and
- B. For the following reasons: the development proposal does not conform to the intent of the General Plan and would not be appropriately coordinated with existing and planned development of the surrounding areas, the Planning Commission moves to recommend **denial** of Z17-1024, rezoning approximately 19.6 acres of real property generally located at the northwest corner of Lindsay Road and Queen Creek Road; approving the Development Plan for the Layton Lakes Parcel 4 Planned Area Development; and changing the zoning classification of said real property from 19.6 acres of Shopping Center (SC) zoning district with a Planned Area Development (PAD) overlay to 19.6 acres of Single Family Detached (SF-D) zoning district with a Planned Area Development (PAD) overlay.

## ALTERNATIVE MOTION

Should the Planning Commission be inclined to recommend **approval** to GP17-1014 and Z17-1024, the following staff recommendation would apply:

- C. Recommend to the Town Council **approval** of GP17-1014, to change the land use classification of approximately 19.6 acres of real property generally located at the northwest corner of Lindsay Road and Queen Creek Road from Shopping Center (SC) land use classification to Residential > 3.5 - 5 DU/ Acre land use classification; and
- D. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend **approval** of Z17-1024, rezoning approximately 19.6 acres of real property generally located at the northwest corner of Lindsay Road and Queen Creek Road; approving the Development Plan for the Layton Lakes Parcel 4 Planned Area Development; and changing the zoning classification of said real property from 19.6 acres of Shopping Center (SC) zoning district with a Planned Area Development (PAD) overlay to 19.6 acres of Single Family Detached (SF-D) zoning district with a Planned Area Development (PAD) overlay, subject to the following conditions:
  - a. An additional access and utility easement adjoining the existing access and utility easement recorded at MCR 2002-0377629 and the Town of Gilbert Lift Station parcel, of the width and dimensions as shown on the Development Plan, shall be dedicated to Gilbert prior to or in conjunction with recordation of the Final Plat.
  - b. The Project shall be incorporated into the existing Layton Lakes Homeowner's Association (HOA) regarding the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas, and landscaping within the rights-of-way. Maintenance responsibilities for common areas and open space areas shall be specified on the approved site plan or final plat.
  - c. Developer shall record easements to be owned by the HOA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.

- d. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Single Family Detached (SF-D) Zoning District	Layton Lakes Parcel 4 PAD
Minimum Lot Area	5,150 sq. ft.
Minimum Lot Width	46'
Minimum Lot Depth	115'
Maximum Building Height/ Stories	30' / 2-story

- e. The Developer shall provide written notice on the Final Plat for public notice to future homeowners that they are in close proximity of a Town of Gilbert lift-station facility and there is the potential for some nuisance due to noise and odor associated with this public facility.

Respectfully submitted,



Nathan Williams, AICP  
Senior Planner

**Attachments and Enclosures:**

- 1) Notice of Public Hearing
- 2) Aerial
- 3) General Plan Exhibit
- 4) Zoning Exhibit
- 5) Development Plan
- 6) Landscape Plan (reference only)
- 7) Minutes from the Planning Commission Study Session December 6, 2017 (6 pages)
- 8) Gilbert Chamber of Commerce Letter dated January 25, 2018
- 9) Project Narrative (20 pages)

# ***Notice of Public Hearing***

GP17-1014/Z17-1024 Layton Lakes Parcel 4  
Attachment 1: Notice of Public Hearing  
June 6, 2018

**PLANNING COMMISSION DATE:**

**TOWN COUNCIL DATE:**

**Wednesday, June 6, 2018\* TIME: 6:00 PM**

**Thursday, August 2, 2018\* TIME: 6:30 PM**

**\* Call Planning Department to verify date and time: (480) 503-6805**

**LOCATION: Gilbert Municipal Center  
Council Chambers**

**50 E. Civic Center Drive**

**Gilbert, Arizona 85296**

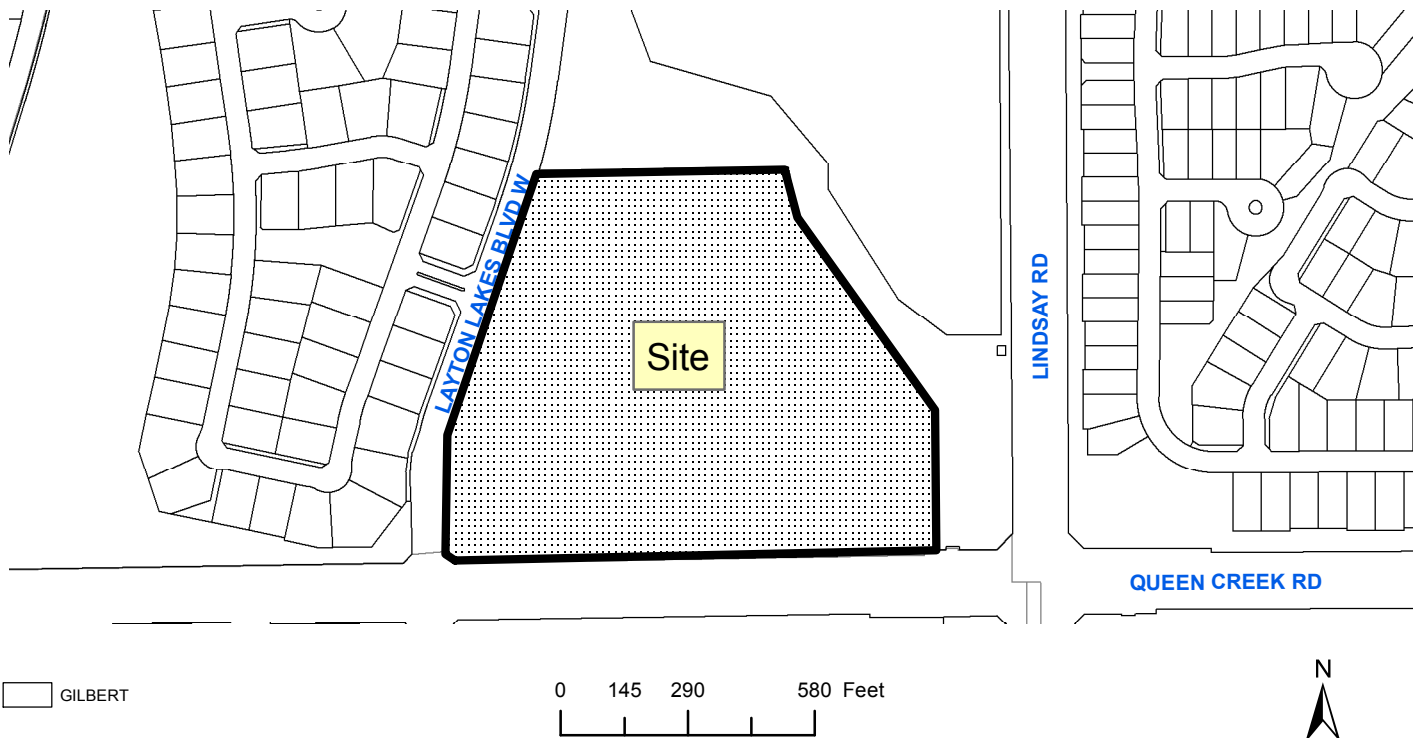
\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <http://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission> and <http://www.gilbertaz.gov/departments/clerk-s-office/boards-commissions/town-council>

## ***REQUESTED ACTION:***

GP17-1014 Layton Lakes Parcel 4: Request for Minor General Plan Amendment to change the land use classification of approximately 19.6 acres of real property generally located at the northwest corner of Lindsay Road and Queen Creek Road from Shopping Center (SC) to Residential >3.5-5 DU/Acre. The effect of this amendment will be to allow single family residential uses where commercial uses are currently required.

Z17-1024 Layton Lakes Parcel 4: Request to amend Ordinance No. 1328 pertaining to the Layton Lakes Planned Area Development (PAD) by removing from the Layton Lakes PAD approximately 19.6 acres of real property generally located at the northwest corner of Lindsay Road and Queen Creek Road; approving the Development Plan for the Layton Lakes Parcel 4 PAD; and changing the zoning classification of said real property from 19.6 acres of Shopping Center (SC) zoning district, all with a PAD overlay zoning district to 19.6 acres of Single Family Detached (SF-D) zoning district, all with a PAD overlay zoning district, as shown on the map which is available for viewing in the Planning and Development Services Office; and to modify the development regulations as follows: to allow for increased minimum lot area, minimum lot width, minimum lot depth and to allow for reduced maximum building height. The effect of the rezoning will be to allow for single family residential uses on the subject site and to modify the development regulations as described herein.

## ***SITE LOCATION:***



**APPLICANT: Pew & Lake, PLC**  
**CONTACT: Sean Lake**  
**ADDRESS: 1744 S. Val Vista Dr., Suite 217**  
**Mesa, AZ 85204**

**TELEPHONE: (480) 461-4670**  
**E-MAIL: [sean.lake@pewandlake.com](mailto:sean.lake@pewandlake.com)**





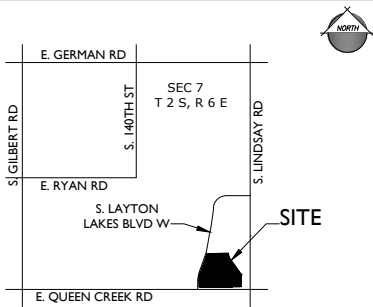


GENERAL PLAN EXHIBIT  
FOR  
LAYTON LAKES -  
PARCEL 4

THE EAST HALF OF THE NORTHEAST QUARTER OF  
SECTION 7, T.2 S., R.6 E., GILA AND SALT RIVER  
MERIDIAN, MARICOPA COUNTY, ARIZONA

VICINITY MAP

N.T.S.



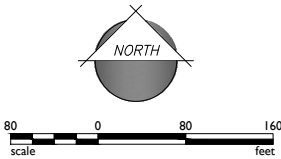
PROJECT TEAM

**PROPERTY DEVELOPER:**  
KH HOMES PHOENIX, INC.  
10429 S. 51st ST., SUITE 100  
PHOENIX, AZ 85044  
TEL: (480)-758-3047  
CONTACT: RANDY LOPEZ

**PLANNER, ENGINEER, AND  
LANDSCAPE ARCHITECT:**  
EPS GROUP, INC.  
2045 S. VINEYARD, SUITE 101  
MESA, AZ 85210  
TEL: (480)-503-2250  
FAX: (480)-503-2258  
CONTACT: DANIEL AUXIER, PE

PROJECT DATA

A.P.N.	304-57-696
CURRENT USE:	UNDEVELOPED
EXISTING ZONING:	SC WITH PAD OVERLAY
PROPOSED ZONING:	SF-D WITH PAD OVERLAY
EX. GENERAL PLAN LAND USE:	SHOPPING CENTER (SC) (100%)
PROP. GENERAL PLAN LAND USE:	RESIDENTIAL > 3.5 - 5.0 DU/AC (100%)
GROSS AREA:	± 19.60 ACRES
NET AREA:	± 18.87 ACRES



PROPOSED GENERAL PLAN  
RESIDENTIAL > 3.5 - 5.0  
± 19.60 GROSS ACRES  
± 18.87 NET ACRES

LAYTON LAKES PARCEL 1 2ND AMD  
MCR, BK. 1034, PG. 36  
ZONING: SF-8

LAYTON LAKES PHASE I  
MCR, BK. 832, PG. 14  
ZONING: SF-D

LAYTON LAKES PHASE I  
MCR, BK. 832, PG. 14  
ZONING: SF-D

LAYTON LAKES PARCEL 17 AMD  
MCR, BK. 1200, PG. 07  
PAD (RESIDENTIAL USE)

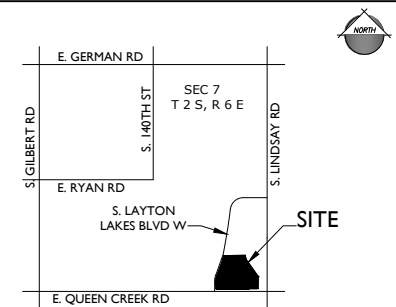
17-302

# ZONING EXHIBIT FOR LAYTON LAKES - PARCEL 4

THE EAST HALF OF THE NORTHEAST QUARTER OF  
SECTION 7, T.2 S., R.6 E., GILA AND SALT RIVER  
MERIDIAN, MARICOPA COUNTY, ARIZONA

## VICINITY MAP

N.T.S.



## PROJECT TEAM

**PROPERTY DEVELOPER:**  
KH HOMES PHOENIX INC.  
10429 S. 51st ST., SUITE 100  
PHOENIX, AZ 85044  
TEL: (480)-758-3047  
CONTACT: RANDY LOPEZ

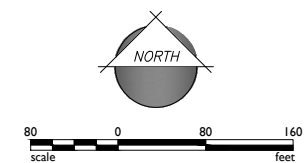
**PLANNER, ENGINEER, AND  
LANDSCAPE ARCHITECT:**  
EPS GROUP, INC.  
2045 S. VINEYARD, SUITE 101  
MESA, AZ 85210  
TEL: (480)-503-2250  
FAX: (480)-503-2258  
CONTACT: DANIEL AUXIER, PE

## PROJECT DATA

A.P.N.	304-57-696
CURRENT USE:	UNDEVELOPED
EX. GENERAL PLAN LAND USE:	SHOPPING CENTER (SC)
PROP. GENERAL PLAN LAND USE:	RESIDENTIAL > 3.5 - 5.0 DU/AC

EXISTING ZONING:	SC WITH PAD OVERLAY (100%)
PROPOSED ZONING:	SF-D WITH PAD OVERLAY (100%)

GROSS AREA: ± 19.60 ACRES  
NET AREA: ± 18.87 ACRES



2045 S. Vineyard Ave, St  
Mesa, AZ 85210  
T:480.503.2250 | F:480.5  
www.epsgroupinc.com



LAY ION LAKES - PARCEL 4

## **Zoning Exhibit**

Revisions:

MARCH 19, 2018 - 2ND ZONING SUB

APRIL 17, 2018 - 3RD ZONING SUB

at least two full working days  
before you begin excavation.

**STAKE-IT 811**

1-800-STAKE-IT (782-5248)

Designed by: JH  
 Drawn by: JAJ

Preliminary  
Not For  
Construction  
Or  
Recording

Job No. 17-302

Sheet No. \_\_\_\_\_

of 1





<b>SYMBOL BOTANICAL NAME - COMMON NAME</b> <b>TREES - 24" BOX MIN.</b>	
	<b>PROSOPIS HYBRID - 'RIO SALADO'</b> <b>QUERCUS VIRGINIANA - SOUTHERN LIVE OAK</b> <b>ACACIA ANURA - MULGA</b> <b>ULMUS PARVIFLORA - EVERGREEN ELM</b> <b>EXISTING TREE</b>
<b>SHRUBS- 5 GAL. MIN.</b>	
	<b>BOUGAINVILLEA SPECIES - BOUGAINVILLEA</b> <b>CAESALPINIA SPECIES - BIRD OF PARADISE</b> <b>CALLIANDRA SPECIES - FAIRY DUSTER</b> <b>CASSIA SPECIES - CASSIA</b> <b>EREMOPHILA SPECIES - EMU BUSH</b> <b>LEUCOPHYLLUM SPECIES - TEXAS SAGE</b> <b>MUHLENBERGIA SPECIES - DEERGRASS</b> <b>SIMMONDSIA CHINENSIS - JOJOBA</b> <b>RUPELLIA PENINSULARI - BAJA RUPELLIA</b> <b>SALVIA SPECIES - SALVIA</b> <b>TECOMA SPECIES - ARIZONA YELLOW BELLS</b> <b>TECOMA SPECIES - ORANGE JUBILEE</b> <b>MYRTUS COMMUNIS - DWARF MYRTLE</b> <b>CALLISTEMON SPECIES - LITTLE JOHN</b> <b>BOTTLEBRUSH</b>
<b>ACCENTS - 5 GAL. MIN.</b>	
	<b>AGAVE SPECIES - AGAVE</b> <b>ALOE SPECIES - ALOE</b> <b>DASYLIRION SPECIES - DESERT/SMOOTH SPOONS</b> <b>EUPHORBIA SPECIES - EUPHORBIA</b> <b>ECHINOCEREUS ENGELMANNII - HEDGEHOG CACTUS</b> <b>FEROCACTUS WILZIZENII) - BARREL CACTUS</b> <b>HESPERALOE FUNIFERA - GIANT HESPERALOE</b> <b>HESPERALOE PARVIFLORA - RED YUCCA</b> <b>OPUNTIA SPECIES - FRICKLEY PEARLADY</b> <b>PEDILANTHUS MACROCARPUS - LADY SLIPPER</b> <b>YUCCA SPECIES - YUCCA</b>
<b>GROUND COVERS - 5 GAL. MIN.</b>	
	<b>ACACIA REDOLENS - DESERT CARPET ACACIA ('DESERT CARPET')</b> <b>ASPARAGUS SPRENGERI - ASPARAGUS FERN</b> <b>EREMOPHILA GLABRA 'OUTBACK SUNRISE'</b> <b>GLANDULARIA SPECIES - VERBENA</b> <b>LANTANA SPECIES - LANTANA</b> <b>ROSMARINUS SPECIES - IRENE ROSEMARY</b> <b>NEDELIA TRILOBATA - YELLOW DOT</b>
	<b>DECOMPOSED GRANITE - 1/2" SCREENED 'AZTEC BROWN'</b>
	<b>MID-IRON BERMUDA TURF</b>

	<p>GERMANN RD</p> <p>LINDSAY RD</p> <p>QUEEN CREEK RD</p> <p>SILBERT RD</p> <p>OCOTILLO RD</p> <p>VAL VISTA RD</p>	<p>A.P.N. : CURRENT USE: EX. GENERAL PLAN LAND USE: PROP. GENERAL LAND USE:</p>	<p>B04-B7-696 UNDEVELOPED SC(GSHOPPING CENTER) RESIDENTIAL&gt;3.5-5.0 DU/AC</p>
		<p>EXISTING ZONING: PROPOSED ZONING:</p>	<p>SC (SHOPPING CENTER) W/PAD SF-D WITH PAD OVERLAY</p>
		<p>GROSS AREA: NET AREA:</p>	<p>± 19.28 AC ± 18.54 AC</p>
		<p>LOT SIZE: TOTAL LOTS:</p>	<p>46' X 115' 75</p>
		<p>GROSS DENSITY: OPEN SPACE:</p>	<p>3.89 DU/AC ± 4.61 AC (24% OF NET)</p>





**TOWN OF GILBERT  
PLANNING COMMISSION STUDY SESSION  
COUNCIL CHAMBERS  
50 E. CIVIC CENTER DRIVE  
GILBERT, AZ  
DECEMBER 6, 2017**

**COMMISSION PRESENT:** Vice Chairman Brian Andersen  
Commissioner Carl Bloomfield  
Commissioner David Cavenee  
Commissioner Greg Froehlich  
Commissioner Brian Johns  
Commissioner Joshua Oehler  
Alternate Commissioner Seth Banda  
Alternate Commissioner Daniel Cifuentes

**COMMISSION ABSENT:** Chairman Kristofer Sippel

**STAFF PRESENT:** Gilbert Olgin, Planner II  
Amy Temes, Senior Planner  
Nathan Williams, Senior Planner  
Principal Planner Catherine Lorbeer  
Planning Manager Linda Edwards

**ALSO PRESENT:** Council Liaison Brigitte Peterson  
Attorney Nancy Davidson  
Recorder Debbie Frazey

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**CALL TO ORDER**

Vice Chairman Brian Andersen called the December 6 Study Session of the Planning Commission to order at 5:08 p.m. Vice Chair Andersen invited Council Liaison Brigitte Peterson to administer the Oath of Office to Alternate Commissioner Seth Banda and Alternate Commissioner Daniel Cifuentes. Council Liaison Peterson then administered the Oath of Office. After administering the Oath of Office, she asked the new Alternate Commissioner Daniel Cifuentes to tell the Commission and the audience a little about himself. Daniel Cifuentes briefly introduced himself.

- 1. DR17-1164, SAN TAN PAVILIONS PHASE IV, SANDBAR: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 0.44 ACRES, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SANTAN VILLAGE PARKWAY AND WILLIAMS FIELD ROAD AND ZONED**

Planning Manager Linda Edwards said that they just needed to read it into the record that they had received the addendum to Item 10. After seeing that there were no other changes to the agenda, Vice Chair Andersen recessed the Study Session at 6:15 p.m.

**(At this point in the meeting, the Study Session was recessed)**

Vice Chair Andersen called the Study Session back to order at 8:41 p.m. and called for Item 4, GP17-1014, Layton Lakes Parcel 4.

- 4. GP17-1014: LAYTON LAKES PARCEL 4 - REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 21.46 ACRES OF REAL PROPERTY GENERALLY LOCATED AT NWC OF LINDSAY ROAD AND QUEEN CREEK ROAD FROM SHOPPING CENTER (SC) LAND USE CLASSIFICATION TO RESIDENTIAL > 3.5 - 5 DU/ ACRE LAND USE CLASSIFICATION.**

**Z17-1024: LAYTON LAKES PARCEL 4 - REQUEST TO REZONE APPROXIMATELY 21.46 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NWC OF LINDSAY ROAD AND QUEEN CREEK ROAD FROM SHOPPING CENTER (SC) ZONING DISTRICT WITH PLANNED AREA DEVELOPMENT OVERLAY TO SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

**S17-1011: LAYTON LAKES PARCEL 4 - REQUEST FOR PRELIMINARY PLAT AND OPEN SPACE PLAN FOR LAYTON LAKES PARCEL 4 FOR 79 HOME LOTS (LOTS 1-79) ON APPROXIMATELY 21.46 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NWC LINDSAY ROAD AND QUEEN CREEK ROAD IN THE CURRENTLY PROPOSED SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Senior Planner Nathan Williams began his presentation on Item 4, GP17-1014, Z17-1024, S17-1011, Layton Lakes Parcel 4. He said that this involved three concurrent applications for Layton Lakes Parcel 4. The three applications were for a General Plan Amendment, a Rezoning and a Preliminary Plat. He shared the location of the site at the corner of Lindsay and Queen Creek Roads in the Layton Lakes Masterplanned Community. He said the Minor General Plan Amendment to change the land use classification was for approximately 21.46 acres. He stated that the applicant is requesting to change the land use from Shopping Center (SC) to Residential > 3.5 – 5 DU/Acre. The rezoning portion is to change the zoning district from Shopping Center (SC) to Single Family – Detached (SF-D) with a Planned Area Development (PAD) overlay. The Preliminary Plat and Open Space Plan is for 79 lots (Lots 1-79) on the site. He shared an aerial map which showed an enlargement of the site, and showed the site's proximity to the corner of Lindsay and Queen Creek Roads. Planner Williams indicated that the blue-dashed line is the line that outlines the Layton Lakes Masterplanned Community in Gilbert. He noted a portion of the Community in the southwest corner of Lindsay and Queen Creek, that belongs to

the City of Chandler. He said there are approximately 1300 residential units in Gilbert. He said most of the units have been built out, except for the Single Family – Detached (SF-D) parcel to the north of this site. He said that parcel had just come before the Commission with a homebuilder that wanted to develop on that parcel. He said that the applicant notes that this is not a suitable commercial site because it is not on a hard corner and it is set back a few hundred feet from the actual corner of Lindsay and Queen Creek Roads. He also said the parcel in question is somewhat irregular shaped and the applicant believes that there are other commercial developments located further to the north, that would make this site not suitable for commercial development.

Planner Williams told the Commission that Staff is not in support of the change in the land use classification and the zoning change from Shopping Center to residential for multiple reasons. He said one of the reasons is due to the fact that this was always planned to be a shopping center piece that would support both Layton Lakes Masterplanned community and the additional 200 acres located in Chandler, as well as other surrounding residential development. He said there is no other commercial development on any of the other corners of this arterial intersection. He showed the highlighted section of his map which indicated a Lift Station which is proposed to be in the back of the commercial center. He also stated that additional commercial development had been lost, due to Chandler rezoning their portion of Layton Lakes from commercial to residential. He said that Staff still feels that this parcel is still a viable piece of commercial property, despite the fact that it isn't on the hard corner. He said that Staff does not want to see a loss of 20+ acres of commercial property and they believe there is always going to be a need for commercially designated parcels for future development.

Planner Williams then discussed some of the constraints of the site in regards to residential. He said the Town's Wastewater Manager had been in touch with him regarding the existing lift station on the parcel. He said they were comfortable with the site being commercial, but they are concerned with residential units being placed on the site. On his map, he indicated areas marked in blue around the lift station, pointing out that those areas were of the most concern. He said there was concern relating to the noises and smells associated with a lift station. He shared an aerial view of the lift station that exists today, pointing out an area in yellow which is the staging area, designated for maintenance trucks and staging of maintenance for the lift station. He said that this staging area would impact the site design. He stated some of the maintenance activities that occur with this lift station: chemical deliveries on a biweekly basis, equipment repairs, generator testing, wet well cleaning and pump control, and preventative maintenance. He also mentioned there are potential odor and noise impacts that could affect surrounding residential homes. He indicated that this particular lift station was much more significant than a typical lift station that exists within some neighborhoods. He provided a graphic which showed the difference between a typical lift station in a neighborhood and this larger type of lift station. He said a typical lift station is designed for 98,000 gallons a day. He mentioned that the Layton Lakes lift station, at average build-out, will be 1.3 million gallons a day. He said the intensity of the lift station would need to be considered in any decision to change this property from Commercial to Residential.

Planner Williams shared the Open Space Plan, noting that the area highlighted in blue was the location of the maintenance area he had previously mentioned. He noted the location of a

secondary access that the applicant had suggested, but indicated that Staff was not supportive of that. He said Staff would, at best, like to see that be emergency access only. He pointed out that the areas in red are those lots that would be most impacted by the lift station. Regarding the overall site design, Staff has been talking to the applicant and has informed the applicant that they don't feel that the site design is well designed at this point. He also said the amenities provided are somewhat underwhelming and don't appear to be enough for this subdivision. He also noted that someone with a lot in the southwestern portion of the site, would be very isolated from the amenities. He said the applicant was providing primary access off of Layton Lakes Boulevard. He said the streets would be public and it wasn't intended to be a gated community. He also noted that along with the rezoning request, the applicant was requesting SF-D, but all the deviations they have requested are in excess of that, meaning they are asking for larger lots than what SF-D would require and limiting the homes to 2-story instead of 3-story which SF-D allows. He said this would mean that they were outside of Town Code for SF-D. He finished his presentation and asked for input from the Commission.

Comment/Question: Carl Bloomfield said that the parcel would appear to have access from the arterial to the east of the parcel and on Layton Lakes Boulevard, but he noted that there doesn't appear to be any access out to Queen Creek on the design before them. He asked if there were any thoughts or concerns about a commercial development not having access out onto Queen Creek. He asked if there would be opportunity to access out onto Lindsay so that there would be some potential. He said Queen Creek doesn't have that big of a traffic yield relative to Lindsay. He specifically noted the potential for Lindsay once the freeway comes in. He said this parcel would have to have access onto Lindsay to be a viable commercial project.

Answer: Nathan Williams said that Queen Creek Road is within Chandler's jurisdiction, so if there would be an access point off of there, they would have to work with Chandler to allow that access point. He said they would have originally liked to have seen access off of Lindsay, but they would have to come up with some kind of agreement from Town Wastewater and Engineering in regards to how bad the staging area would impact whether they could have an access point from Lindsay into the site. He said there are easements that allow general access to the site, but it was his understanding that they would allow residents or customers to drive over that, but he said he didn't know how the maintenance of the area would impact the commercial shopping center.

Comment: Carl Bloomfield said it appeared that they had designed it to have all the gates on one side and it would take some modifications to change it.

Response: Nathan Williams said they designed it so that all the gates were on the southern portion.

Question: Carl Bloomfield asked Nathan Williams if he saw his point, that without access to Lindsay, it wasn't a viable commercial piece either.

Answer: Nathan Williams agreed that either way it would be difficult to design around.

Question: Brian Johns asked to see the large residential map. He noted the location of a lake.

Answer: Nathan Williams said that it was more of a wash situation now, more than a lake.

Question: Carl Bloomfield asked when Layton Lakes was zoned.



Answer: Nathan Williams said it was originally zoned in 2001.

Comment: Carl Bloomfield said that there had been a lot of water under the bridge since that time and that this change may be warranted. He said he always has a concern with taking out commercial and replacing it with residential. He said he knows that there must be a commercial base for the Town to maintain a taxable base and not have property taxes escalate to a point that would be uncomfortable for the Town's residents. He said he isn't normally a fan of this type of change, but he said there occasionally are circumstances where it has made sense for the Town to allow the change. He said he wasn't necessarily opposed to this parcel changing from Commercial to residential. He further shared that he wasn't a fan of the current layout and suggested some changes to the layout.

Question: David Cavenue asked what was located on the other three corners of the intersection.

Answer: Nathan Williams shared what was at the three corners: Phase 1 of Layton Lakes, Phase 2 of Layton Lakes and Chandler's residential portion.

Question: David Cavenue sought to clarify that they didn't have any commercial development in the area.

Answer: Nathan Williams answered affirmatively.

Comment: David Cavenue suggested they might want to look at traffic volumes in the area. He also suggested they plot the closest commercial properties to the area. He said he is compelled by the demand for commercial from what he is seeing in front of him. He said he realizes that there may be other commercial outside of the area that he cannot see, but with what is before him, it looks like the area is going to need commercial development. He said he is also concerned with the lift station. He said the few times he has been around lift stations, he found them to be unpleasant.

Response: Nathan Williams said that there are a number of commercial properties nearby. He said he could provide an enlarged area map that would show the additional commercial properties in the surrounding area.

Comment: David Cavenue said that might help the discussion.

Response: Nathan Williams also mentioned that there was a future planned interchange on Lindsay, so that would increase potential traffic on Lindsay.

Comment/Question: Joshua Oehler said that the interchange would definitely increase traffic on Lindsay. He said they should take that into consideration. He said he would like to see the traffic volumes and the estimated traffic volumes after the interchange is completed. He believes the Lindsay interchange will be taking percentages of traffic from Gilbert Road and from Val Vista. He said he has some of the same concerns that Commissioner Bloomfield had about access for a shopping center, but he said he also would worry about that if it was zoned residential. He said it might be possible to come up with a solution that would work for either zoning. He said the applicant is asking for a dense zoning like SF-D, but then they are asking for bigger lots. He asked why they don't just asked for zoning of Single Family – 6 (SF-6). He asked if that was Staff driven or applicant driven. He said he isn't a big fan of SF-D in the first place, so he wondered why they chose to go that direction.

Answer: Nathan Williams said that the zoning they choose is typically applicant driven. He said they receive a few benefits from SF-D zoning, in terms of setbacks and lot coverage. He said they are proposing the overall density to be around four dwelling units an acre. He said this was originally supposed to be townhomes.

Comment: Joshua Oehler said looking at it as residential, he would like to see about the possibility of going to a higher zoning category like an SF-6 or an SF-7 and asking the applicant to be a little more creative in the design. He also agreed with the Staff that the Open Space Plan needed work, because it was a long walk for a percentage of the neighborhood. He said he would like to see it be more integrated. He said if they were to go to residential, no one would want to be near the lift station, because they smell. He said he would desire to see more reasons why they don't need the shopping center before he would be agreeable to residential zoning. He also stated that he wanted to look at access points and, if residential is considered, how they would achieve being around the lift station.

### **ADJOURN STUDY SESSION**

With no other business before the Commission, Vice Chair Andersen adjourned the Study Session at 9:05 p.m.

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Brian Andersen, Vice Chairman

ATTEST:

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Debbie Frazey, Recording Secretary



**MEMO**

TO: Mayor and Town Council  
FROM: Board of Directors  
DATE: January 25, 2018

**RE: LAYTON LAKES DOWNZONING**

The Gilbert Chamber's Public Policy committee and Board of Directors reviewed the downzoning request for this project on the NWC of Queen Creek and Lindsay Roads. As in the past, the Chamber evaluates each request individually and considers several variables when supporting or opposing a downzoning request. Our interest is, first and foremost, the long-term sustainability of our community. Each time commercial property is downzoned to residential that delicate balance is being whittled away. Saying that, though, there are times when it makes sense for the community and the Chamber has supported that action.

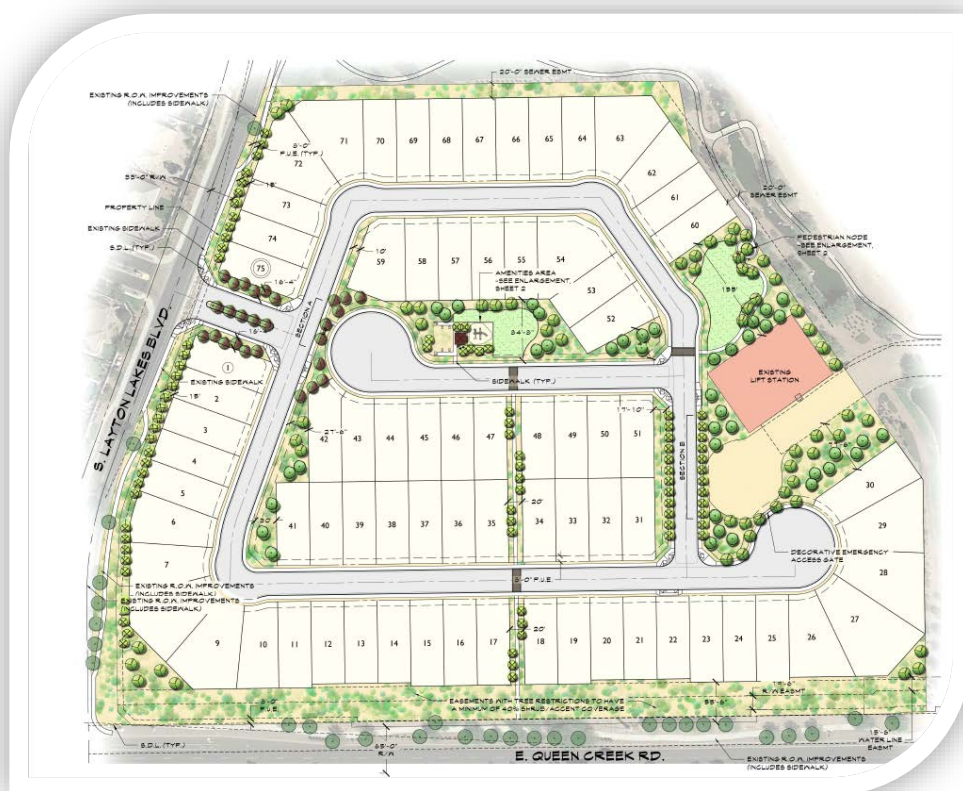
The Chamber feels that the dynamics of this project's area will change significantly once the Lindsay interchange is opened. We believe waiting a few years for that impact to be determined is in the best interest of our economic development efforts. Easy access to the 202 will be beneficial to any businesses in that area as well. The Chamber also notes that its current Shopping Center zoning doesn't preclude changes in the future towards neighborhood office/commercial type projects.

Therefore, the Gilbert Chamber opposes this downzoning request and urges the Town Council to consider holding off entertaining future downzoning requests in this area until after the interchange opens. Please contact Kathy Tilque at 480-892-11403 if you have any questions.

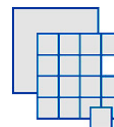
## Minor General Plan Amendment, Rezoning, & Preliminary Plat

# Layton Lakes Parcel 4

1<sup>st</sup> REV. March 2018



Submitted by:



**Pew & Lake, P.L.C.**  
Real Estate and Land Use Attorneys

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On behalf of:

KB Home

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## Introduction

Pew & Lake, PLC, on behalf of KB Homes, is pleased to submit this narrative statement in support of the formal development applications being submitted to the Town of Gilbert for the development of approximately 31.46 acres located west of the northwest corner of Lindsay and Queen Creek Roads (APN: 304-57-696) and shown below:



Figure 1: Vicinity Map

## Development Requests

The following development requests are being made to the Town of Gilbert for approval:

- ❖ **Minor General Plan Amendment** for approximately 19.28 (gross) acres from the Shopping Center to the Residential >3.5-5.0 DU/AC land use classification.
- ❖ **Rezoning** of approximately 19.28 (gross) acres from SC/PAD (Shopping Center with a Planned Area Development Overlay) to SF-D/PAD (Single Family-Detached with a Planned Area Development Overlay).
- ❖ **Preliminary Plat Approval** for the subdivision open space and site plan.
- ❖ **Residential Plan Approval** for the housing product will be submitted at a later date, under separate application.



## Site Background & Context

The subject property is Parcel 4 of the Layton Lake Master Planned Community. Layton Lakes is a community that straddles the Gilbert-Chandler city limits, with an area that encompasses north and south of Queen Creek Road, and runs both east and west about a half mile from Lindsay Road.



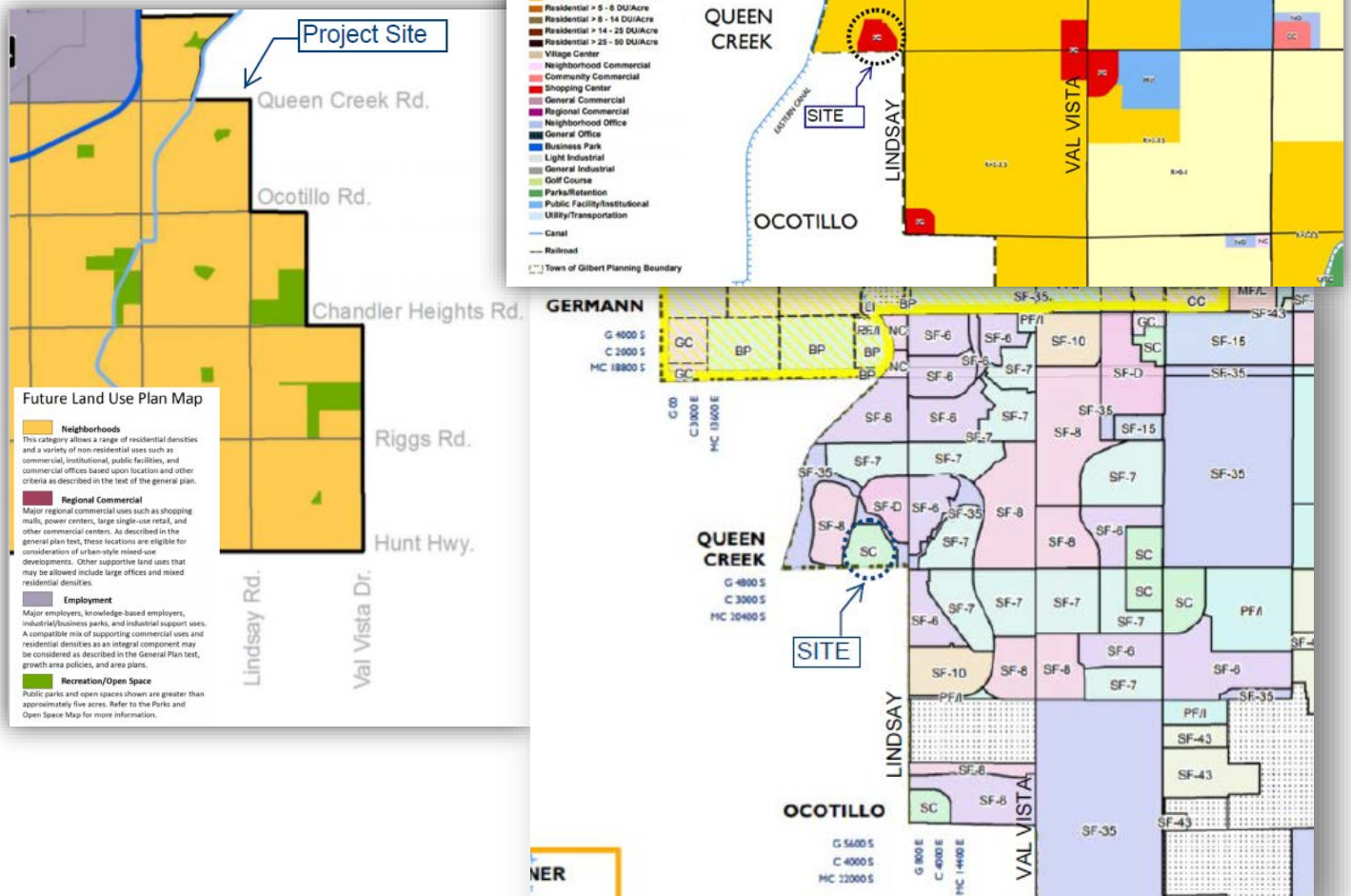
Figure 2 Layton Lake Community Vicinity Map

## Surrounding Conditions

The property is currently undeveloped and is completely surrounded by residentially developed and residentially developing properties. Abutting the property to the northeast is a developing property with the same zoning of SF-D; however, this project consists of a different housing product, four-pack cluster homes for over half of the community. This development proposal consists of detached single-family residential homes.

The property to the northwest and west are single family homes in the SF-8 zoning district. Properties south of Queen Creek Road (which lie in City of Chandler) are developed in a similar manner with single-family residential. The following map shows the existing and proposed land uses of the surrounding area as it relates to the Town's General Plan land use classifications, as well as City of Chandler's anticipated land uses adjacent to the site:

Figure 3: City of Chandler Land Use & Town of Gilbert General Plan Land Use and Zoning



## Development Proposal

The request consists of a Minor General Plan Amendment from Shopping Center to **Residential >3.5-5.0 DU/AC**, and a rezoning from SC/PAD to **SF-D/PAD** to accommodate the development of a 75 single-family lot residential subdivision on 19.28 gross acres, with a density of 3.89 du/ac.



## Neighborhood Outreach

A neighborhood meeting was held on August 24, 2017. More than twenty residents attended and the proposal for a change from commercial to single-family residential was very well received. The neighbors were extremely receptive to a single-family residential development and were not in favor of commercial in such close proximity to their homes.

## Minor General Plan Amendment

As the Town's visions for future development have changed and evolved over the years, it is appropriate at this time and at this location to reconsider the land use classification for this property to remain as Shopping Center (SC). As will be discussed in detail, the implications of retaining this property as a commercial site will be of very little value to the Town or the neighboring property owners as this site is not seen as a viable or vibrant commercial piece.

## Santan Character Area

The site is located in the most northwestern corner of the Santan Character Area. Much of what is required for buffering between differing lot sizes and trails have been implemented on a larger scale with the creation of the Layton Lake PAD. The lot sizes do not require additional bufferings, as adjacent and abutting properties are either zoned identically or are only slightly larger. Layton Lake master planned community has already been themed with amenities of lakes and trails which are generously located throughout the area and this development is consistent with the vision of Layton Lakes.



## Minor General Plan Amendment Analysis

Pursuant to Town of Gilbert's General Plan Amendment application, the following is an analysis for the Minor General Plan Amendment request:

### **A. Why is the current classification not suitable?**

The property's location and surrounding (market) conditions does not make this a desirable commercial parcel. As is discussed on more detail in the economic analysis, the site lacks the most critical qualities of a successful and viable commercial property, including but not limited to (1) poor site visibility/not located at an arterial intersection; (2) low traffic counts; (3) low number of households within a one-mile radius; and (4) severe competition of more than six existing commercial sites within a one-mile radius.

### **B. The proposed change is compatible with adjacent properties and other elements of the General Plan.**

The proposed amendment is more compatible to the abutting and adjacent residential properties than the existing land use classification of a shopping center. Layton Lakes is predominately a residential master planned community, and the addition of another single-family residential development is complimentary to the existing residential development and the similarly developing property just north of the site.

### **C. What unique physical characteristics of the site present opportunities or constraints for the development under the existing classification?**

Although the property was originally thought to be suitable for commercial, as the Town as developed and focused commercial development in the nearby 202 Freeway corridor it is a parcel that is clearly not desirable for commercial use. There is only frontage and visibility from a single arterial road, it is not located at the intersection. In addition, the site does not have the desirable characteristics to be developed into a successful commercial site; nor do the neighboring property owners have a desire to see this be developed as a commercial site.



**D. Availability and capacity of public utilities and services.**

Layton Lakes master planned community is nearly built-out and has the availability and capacity of public utilities and services. With an original commercial land use classification, the necessary utilities were already stubbed to the site and have capacity to accommodate 79 single-family lots.

**E. What is the proposed fiscal impact of future development based on evaluation of projected revenues and the additional cost of providing public facilities and services to accommodate projected increases or decreases in population and development that could occur as a result of the General Plan amendment?**

In the short-term, the Town of Gilbert will realize permit and impact fees from the developer. In the long-term, the Town will be required to address the public service needs of the residents of this new development, as it does the rest of the residents of Gilbert. However, this new group of residents will presumably be paying sales taxes and contributing to the fiscal health of the Town in other ways. Utilization of this site for residential development will have a positive impact on the Town, especially in comparison to it being one of the last remaining undeveloped parcels in the otherwise built out Layton Lake community.

**F. How will the proposed amendment affect the ability of the community to sustain the physical and cultural resources, including air-quality, water quality, energy, natural and human-made resources necessary to meet the demand of present and future residents?**

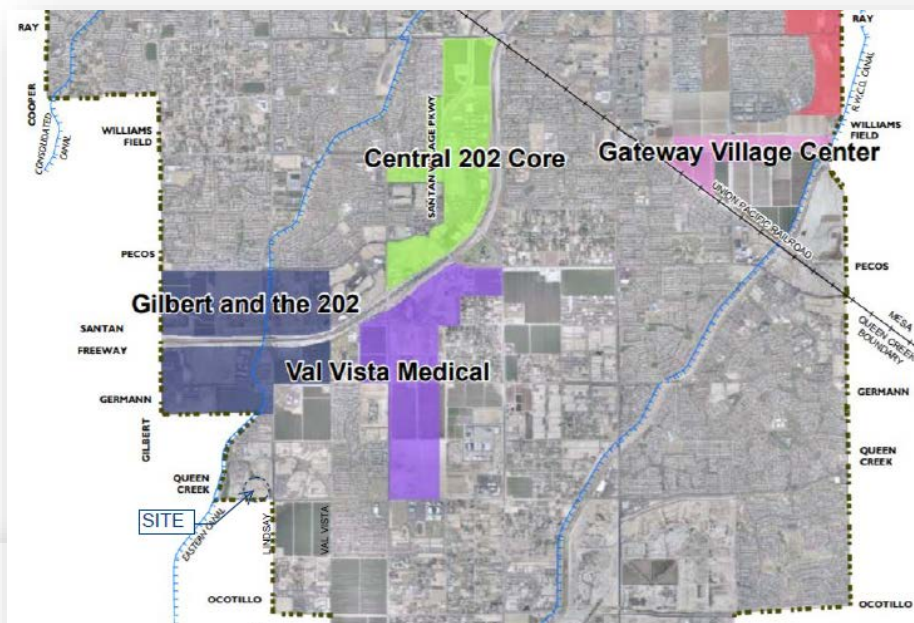
The passage of this minor amendment, and subsequent development of 79 single-family homes, will not affect the ability of the Town to provide adequate services, physical and cultural resources. The development of this property is in context with the overall Layton Lakes master planned community and necessary infrastructure is either already in place or will be installed by the developer.



### Town's Growth Areas

Layton Lakes Parcel 4 does not lie within a growth area of the General Plan, which *are targeted areas for planned concentration of commercial uses*. Yet, nearly half (three of the seven) of the Town's designated Growth Areas are located within two and three miles of the site and have already **saturated the immediate and surrounding area** with more desirable and viable commercial sites. Furthermore, the implementation strategy for incentivizing and encouraging commercial development within the Growth Areas, only assists in the market cannibalization of smaller, less desirable commercial sites elsewhere in the Town that lie within reasonable distance.

Figure 4 Growth Area Map & Implementation Strategies



### 2.6 Implementation Strategies

Land Use and Growth Area	Responsible Entity	Complete By
1. Develop a residential density bonus program for mixed-use projects that includes specific performance criteria. These criteria should include provisions for any of the following: housing, multi-modal or transit-oriented development, dedicated infrastructure improvements and park/open space dedication.	Planning	Ongoing
2. Coordinate with Town of Gilbert Business Development to locate new business opportunities in Gilbert especially focusing on properties within the Growth Areas.	All Departments	Ongoing
3. Create incentives for new employment and commercial development that is located within Growth Areas.	Planning	Ongoing, Review Periodically

### Unsuitable & Unviable Commercial Site

This parcel was planned for commercial development, however, the free market and retail users and office users believed that other nearby locations were better suited. Since that time, this parcel has been an overlooked parcel that has remained vacant despite the on-going marketing of the property as a commercial piece for over 10 years. The parcel is a remainder piece of an otherwise beautifully developed residential area.

### Substantial Neighboring Commercial

With the successful large retail power center at Gilbert and San Tan Freeway, Crossroads Towne Center (less than a mile away), including Target and Walmart, and the San Tan Mall, the retail needs have been satisfied. Additionally, the large retail centers at Val Vista and San Tan Freeway including Costco, Winco and the Mercy Gilbert Hospital are less than 2 miles away. This area has been further saturated with retail including the development of the Walmart and Sam's Club at San Tan Village Parkway and Williams Field, which is located directly south of the San Tan Mall. In addition, office users (e.g. Rivulon) are locating and being encouraged by the Town to develop near the San Tan Freeway. From retail, malls, offices, auto dealers, and hospitals all locating near the freeway, *it is clear that retail and office users have decided that Gilbert, Val Vista and San Tan Parkway are the corridors for commercial development, **not a mid-block location** with frontage on Queen Creek Road.*

In addition to the commercial development to the north, retail users have also located a little over a mile away to the south along Gilbert Road (Fry's and Bashas) along the Gilbert Road alignment. The market and traffic patterns for commercial development have been established, and Lindsay Road did not see any activity despite all of the commercial development to the north, south, east and west of this property.

### Poor Site Visibility

To further complicate the viability of this property for commercial development, this property does not even have frontage on Lindsay Road. It is situated at a mid-block location. Commercial users like to have frontage on two arterials. In this instance an HOA open space area does not permit commercial access to Lindsay Road.

Employment and commercial development has gravitated to properties that lie along the freeway corridor. Unfortunately, the parcel wouldn't even be meet the criteria for a "C Site" for commercial development. The commercial users that have looked at the site find it highly undesirable as it is not located at the intersection of two major arterials. Furthermore, Lindsay Road has not demonstrated to be a major commercial corridor through Gilbert (or Mesa). Commercial users have already located in the vicinity at the

major regional centers such as near SanTan Village Parkway/Williams Field or Gilbert/Germann. This property is essentially “the book in the middle” as it is sandwiched between much better commercial (and employment) properties. The parcel is much too large for other “mom and pop” commercial development or small office to occur, especially with other existing and available office space in far better locations and closer to the freeway that are already available. This condition is aggravated further, in the over build out of office space currently and the over build out well into future years.

### Critical Commercial Site Variables

This last year (2016), a survey was conducted in Denver of professional commercial brokers, leasing agents and lenders, who were asked to rate location and site variables to determine how each element affects the decision making when selecting a preferred site. This is a standard framework of what commercial brokers and professionals use to analyze the potential success of a shopping center site or location. The reason this is important is because the economic goals for cities and towns are typically for **strong and viable commercial centers, not struggling and vacant**. The top five key variables used for commercial siting are discussed below:

- 1) **Number of Households (HH)** Less than 4,000 households within a one-mile radius is a strong negative factor, versus 10,000 households is a strong, positive factor. There are only 5,940 households within a one-mile radius of the project site. This site does not meet the test of enough households within the one-mile radius, nor will this number increase at build-out to exceed 10,000 households within one mile either.
- 2) **Household Income** Average household income \$24,000 or less within a one-mile radius is a negative factor, versus an average household income of more than \$40,000 is positive. The subject site has double at an average household income of more than \$82,424; however, the higher income cannot offset that the number of households are significantly less than the standard.
- 3) **Traffic Count** Daily traffic counts of fewer than 15,000 is strongly negative, versus the ideal range of 40,000 and 55,000 traffic counts per day. The subject site sees 14,000 to 16,000 vehicles per day on Queen Creek. Again, **significantly lower** than what is required to support a strong and viable commercial center.
- 4) **Visibility from Street** Anything less than 65% visibility is negative, versus 85% visibility is a strong, positive factor. The site is **not located on a visible intersection**; and would be less than 65% visible from Lindsay, so this test for desirable commercial site is also not met.

- 5) **Competition** Two or more competing centers within a one-mile radius is a very negative influence on the site, versus no competition. There are well over two commercial centers within a mile radius. Just at Gilbert and Germann all four corners have substantial commercial development. Two of the corners at Gilbert and Ocotillo have a grocery store and associated commercial development at that location. These are what is located within the mile of the site, this does not include the extreme competition that lies within two and three miles of the site with the power centers near San Tan Village and Spectrum Falls (Val Vista and Pecos).

Long-term sustainable retail centers rely on household numbers and Layton Lake Parcel 4 will bring to the market an increase of additional households that will only further assist to support the existing and newly operating and developing commercial centers in the surrounding area.

This is a parcel with little hope of commercial development. The development proposed with this amendment will increase the vitality of this area and complete the residential development within the community. This parcel may be considered as a remnant parcel because it does not have the traffic or characteristics needed to be a successful commercial development nor the support of the local community. As the site has only frontage on Queen Creek Road, the future Lindsay off-ramp will have little to no improvement to the site's commercial viability.

The current classification has proven to be unsuitable by market forces; simply put, if the piece of property was suitable for commercial development, it certainly would have happened by now. Additionally, there is no reasonable expectation that commercial development will happen on this parcel anytime in the near future. Nearly all the residential land in the area has been developed, therefore, **commercial market demand will not increase because demographics needed to support additional commercial development in the area will not significantly change over the next 20 years.**

### Economic & Site Analysis

Various economic and commercial site analysis have been performed over the years by commercial brokers regarding the viability and success of commercial use of this property, and over and over the conclusions of these studies demonstrate that a commercial development at this location is not economically viable. The most recent Market Analysis is included with this application (*Appendix A*), which data and study further demonstrates the infeasibility of commercial development at this location, the existing and future saturation of commercial square footage for the area, and the that there is a solid residential market in which this property would perform well under.



The consideration of residential uses in this location, at this time, is warranted for the following reasons:

- ❖ There has been *minimal demand* for additional commercial uses in the area over the last decade, but a **significant increased demand for residential uses**.
- ❖ It is very unlikely that any commercial user would choose this location with poor visibility, significantly less traffic, and less households in close proximity.
- ❖ A residential land use seems to be the appropriate land use for the property given the low traffic, next to a project amenities, lack of interest by any commercial developers or users, and overwhelming desire of the neighbors for a residential development.
- ❖ An **abundant supply of desirable commercial** properties to be developed still exists within Town limits.

### Commercial Trends

Additionally, there are two major trends which have had an effect on the retail industry over the last decade. Domination of the retail landscape by big box retailers and the rise and proliferation of e-commerce sales. These are important as it relates to the goal of the Community-Scale character subtype of the General Plan whose *"primary goal is to provide high quality opportunities for commercial and entertainment activities consistent with the needs of today's consumer."* As will be demonstrated the needs of today's consumers are changing and there is a decrease in demand for commercial development, particularly at this location.

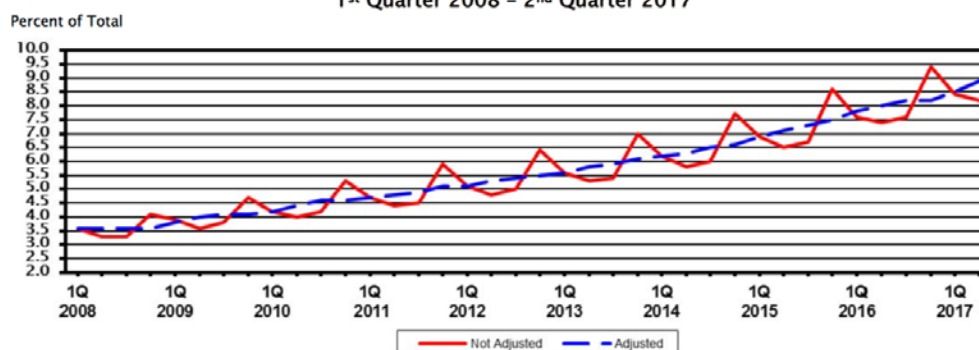
**Domination by Big Box Retailers:** Clearly one of the most important trends in retailing over the past two decades has been the rise of big box retailers led predominantly by Wal-Mart and Target. Their outlets have evolved over the years into mega stores ranging from 130,000 to 200,000 square feet. Warehouse clubs such as Costco have also contributed to the rise of big box domination. Most importantly, many of the big box retailers have also transitioned into the grocery business, severely impacting the traditional neighborhood grocery industry. Wal-Mart, in particular, has penetrated the Greater Phoenix retail market so deeply that there are just as many Wal-Mart stores as there are Safeway groceries in the region. Big box retailers have also had a significant influence on sales at regional malls and traditional department stores. For instance, in 1992, department stores' share of total retail sales in the U.S. stood at 6.3%. By 2012, that percentage had declined to 1.9%. Total sales at department stores **declined** by 24.7% over that same time period (City of Chandler 4-Corner Retail Study, 2012).



**The Rise and Proliferation of E-commerce Sales:** Brick and mortar retailing has been significantly affected over the past decade by internet sales and the trend is expected to continue in the future. E-Commerce sales have increased from 3.5% of total U.S. retail sales in the 1<sup>st</sup> Qtr of 2008 to 8.2% as of the 2<sup>nd</sup> Qtr of 2017. From 2<sup>nd</sup> Qtr 2016 to 2<sup>nd</sup> Qtr 2017 e-commerce sale increased by 16.3% representing \$111.5 Billion in sales just in the 2<sup>nd</sup> Quarter of 2017.

Figure 5 E-Commerce Retail Sales Trend

Estimated Quarterly U.S. Retail E-commerce Sales as a Percent of Total Quarterly Retail Sales:  
1<sup>st</sup> Quarter 2008 – 2<sup>nd</sup> Quarter 2017



The Quarterly Retail E-Commerce sales estimate for the third quarter of 2017 is scheduled for release on November 17, 2017 at 10:00 A.M. EST.

For information, including estimates from 4<sup>th</sup> quarter 1999 forward, visit the Census Bureau's Web site at <http://www.census.gov/retail>. For additional information about Census Bureau e-business measurement programs and plans visit <http://www.census.gov/estats>.

Most affected by this new trend are book stores, department stores, discount stores (those not selling perishable foods), florists, and office supply stores. Traditional department stores recorded the most loss of retail sales of any other type of store. Some of this decline can also be attributed to the rise of the big box value retailers as well. As a result many name brand retailers are shutting down thousands of stores as seen in the following graph.

Figure 6 Retail Store Closures in 2017



Toy's R Us is struggling with a significant amount of debt and has recently filed for bankruptcy and could be added to this list of store closures. In addition, grocery stores are starting to provide online services as well, which could affect the smaller grocers.

The increase in e-commerce sales is a trend not likely to reverse itself, but rather will continue its uphill climb. As consumers experience more convenient and faster delivery of everyday consumer goods, the likelihood of those same residents visiting local retailers diminishes accordingly. As previously discussed four of the five key variables in commercial site preferences are not desirable for this location, which are (1) Six competing sites within a one-mile radius; (2) poor site visibility; (3) low vehicular traffic counts; and (4) unlikely change in demographics (increase in the number of households per square mile) in the area, as well as the entitlement risks are **significant economic factors in understanding the lack of viability for commercial development** of Layton Lake Parcel Four.

## Zoning Amendment

The rezoning request encompasses a change from the Shopping Center (SC) with a PAD overlay zoning district to the SF-D (single-family detached) with a PAD overlay zoning district for the entire 19.28 acres, which would accommodate the development of 75 single-family residential lots. As previously described, this zoning is consistent and fully compatible with the adjacent zoning districts in the area, as further illustrated in the surrounding zoning map below:

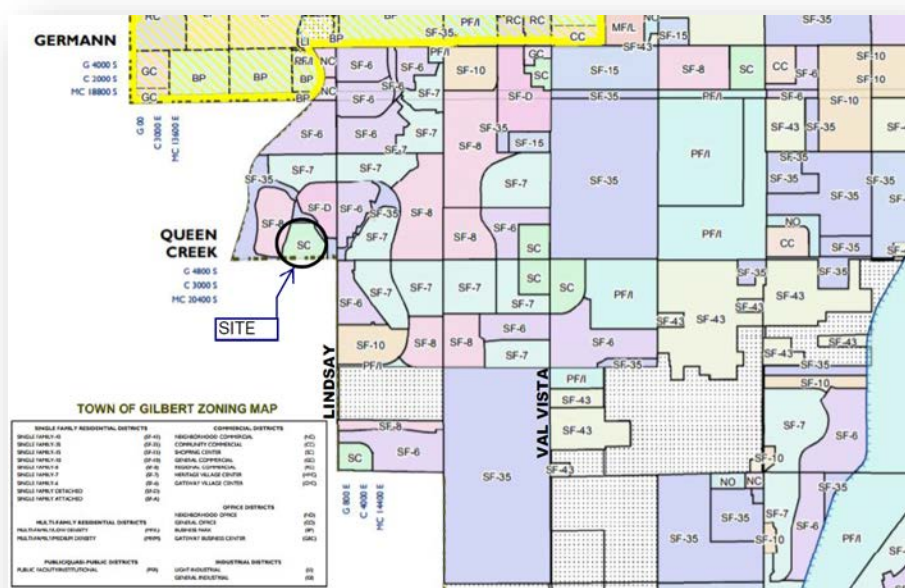


Figure 7: Surrounding Zoning Districts

### Development Standards

Layton Lake Parcel 4 meets all of the development standards of the SF-D (single-family detached) zoning district of the Town of Gilbert. There are no PAD development requests associated with this project and in many instances exceeds that standards as shown in the table below:

	<i>SF-D Standards</i>	
	SF-D Standard	Layton Lake Parcel 4
Minimum Lot Area (SF)	3,000	<b>5,150</b>
Minimum Lot Width (FT)	N/A	<b>46</b>
Minimum Lot Depth (FT)	N/A	<b>115</b>
Maximum Height (FT)/Stories	36/3	<b>30/2</b>
Minimum Building Setbacks (FT)		
Front	10	<b>10*</b>
Side	0 or 5	<b>5</b>
Rear	10	10
Maximum Lot Coverage (%)		
One Story	60	60
Two Story	50	50

\*Setback to liveable space will be 10 feet. Driveways and setback to garages shall not be less than 20 feet.

## Residential Design Guidelines

Furthermore, Layton Lake Parcel 4 is a development proposal that is fully consistent with the goals and vision of the Town's General Plan, Land Development Code and implements and advances the purposes of the Residential Design Guidelines with the following goals and guidelines:

### Goals

- ❖ Creating residential neighborhoods that are cohesive, safe and have a human scale that promotes opportunities to socialize with neighbors.

**Layton Lakes was master planned with these very objectives in mind. Parcel 4 is simply an expansion of the residential uses that already exist in the immediate area and the new development directly to the north of this parcel.**

- ❖ A residential development which reflect Gilbert's historic an agrarian past and other vernacular themes which created a neighborhood that differs from "the look alike" neighborhoods in other communities.

**Layton Lakes is unique and does not just look like all the other subdivisions in southwestern Gilbert. Parcel 4 community carries forward the Layton Lakes theming through this property as a residential development.**

- ❖ The creation of the Layton Lakes Planned Area Development (PAD) offers a mix of high quality land uses and diverse housing types. Development patterns in this PAD enhances the physical, social and economic value of this area.

**Parcel 4 only enhances the Layton Lakes PAD by increasing the diversity of housing types offered within the community. A single-family residential use is a much more desired use of the property to the adjacent property owners than a commercial development is at this location.**

### Guidelines

- ❖ Avoid linear through streets that link two or more streets surrounding the subdivision. Provide appropriate right-of-way width for each street.

**A loop-type collector street is already in place with Layton Lake Boulevard and internal to the site are streets that are not less than 50 foot right-of-way, as is designated for local street sections.**



- ❖ Open Space and Landscaping Design to have view corridors, preserving and creating focal elements; locating open space to be visually and/or physically useable, accessible and safe. More than 10% of open space provided. Open space system in new residential developments shall encourage pedestrian circulation within and external to the project by means of landscaped greenbelts. Develop perimeter landscaping or areas adjacent to a linear trail.

More than 10 percent of the (gross) site is preserved as project open space. With more than four and a half acres of open space, this is nearly 24% of the site. The project also provides perimeter landscaping buffers along the streets. The project amenity is accessible to the residents, as are additional amenities of the Layton Lakes trails and water features made easily accessible by residents of Layton Lakes Parcel 4.

- ❖ Alternatives to “continuous walled community” are provided. Landscaped buffer areas along streets.

As previously stated, over a 47 foot wide landscaped tract is provided along Queen Creek Road. The project fencing along Queen Creek Road is also staggered roughly every 150 feet with a different setback of approximately 3 feet to offer visual interest.

- ❖ Open fencing is one of the variations to the project theme wall.

Two types of open fencing is being proposed to be used in Layton Lake Parcel 4. There is a wrought iron combination fencing and a full view fencing that are illustrated in the landscape plan set, with locations delineated on the fencing plan exhibit.





## Development & Site Plan Proposal

The roughly 19.28 acres is proposed to be developed as a 75-lot single-family residential subdivision with 4.61 acres of open space, constituting nearly 24 percent of the site (See Attachment 1: Development Plan). The overall project density is approximately 3.89 DU/AC (gross). Homes in this community will be a mix of one and two stories and are between 1,700 and 2,800 square feet in size. Typical lot sizes are 5,290 square feet with dimensions of 46 feet wide by 115 feet deep.

### Project Entry and Theme

The main entrance to the community is from Layton Lakes Boulevard and is enhanced by a landscaped median with the Red Push Pistache tree as its planting, and three decorative entry “monument” columns. Larger signage monumentation will also be included and located on the community theme wall directly south of the vehicular entrance from Layton Lake Boulevard.

A second emergency access point is provided off of Lindsay Road. A turnaround bulb is provided for service vehicles (to the Town’s wastewater lift station) and if needed emergency vehicles.

### Landscape, Open Space & Amenity Plans

Layton Lakes Parcel 4 offers a landscape and open space program with more than four acres of open space, including a community park with active amenities, such as horseshoe and bag toss courts and a ramada with seating (See Attachment 2: Landscape Architectural Plans). A sidewalk from the other community park provides connectivity to the adjacent Layton Lakes trails system. Landscaped buffers run along the entire perimeter of the project, in addition to the site already being surrounded by the beautiful Layton Lakes trail and water features. Over 33½ feet of landscaped setback is provided along Queen Creek Road, plus the additional 16 feet of landscaping and sidewalk within the right-of-way.

### Fencing Plan

The community fencing plan consists of a solid Sonora block perimeter theme wall with a split face cap and decorative stone veneer columns, which are consistent with, and will have the same colors to match, the Layton Lake community fencing. The interior partial and full view fencing are of similar materials with the Sonora block and metal rail fencing. Decorative view fencing will be located along the lots that abut the Layton Lakes trail. The partial view fencing will be located along rear lot lines of interior open space.



### Parking & Refuse Plan

Not less than 3 parking stalls per unit are provided for this community. Consistent with Town of Gilbert development standards for SF-D (and lots less than 55 feet wide) there are two covered parking spaces in the garage and not less than one "visitor" parking space that are available throughout the community. These stalls do not conflict with refuse containers as demonstrated on the Parking & Refuse Plan (See Attachment 3: Parking & Refuse Exhibit). These "visitor" spaces are in addition to the minimum 20 feet of driveway length that will also be provided for on every lot.

### Property Maintenance

Project common facilities, such as landscape tracts, monuments, parks and project amenities will all be maintained, and operated by the development's Homeowner's Association (HOA). Individual homeowners will be responsible for the maintenance of their internal lot-line walls.

### Phasing

The project will be constructed in a single phase.

